BOARD OF SUPERVISORS COUNTY OF STAFFORD STAFFORD, VIRGINIA

MINUTES

Regular Meeting
May 20, 2008

<u>Call to Order.</u> A regular meeting of the Stafford County Board of Supervisors was called to order by George H. Schwartz, Chairman, at 1:04 P. M., Tuesday, May 20, 2008, in the Board Chambers, Stafford County Administration Center.

Roll Call. The following members were present: Harry E. Crisp; Mark Dudenhefer; Paul V. Milde, III; George H. Schwartz, Chairman; Cord A. Sterling; Robert "Bob" Woodson; and M. S. "Joe" Brito, Vice Chairman.

Also in attendance were: Anthony Romanello, County Administrator; Joe Howard, County Attorney and Marty Beard, Chief Deputy Clerk.

Legislative; Presentation of a Proclamation.

• Declare the Week of May 18-24, 2008, as Emergency Medical Services Week

<u>Legislative</u>; Work Session on Property Maintenance Code. Mr. Michael Neuhard, Deputy County Administrator, and Mr. Emory R. Rodgers, Deputy Director, Division of Building and Fire Regulation, gave a presentation and responded to Board members questions.

Hearing no objections from the Board, staff was requested to report back with additional information.

Legislative; Work Session on Parks and Recreation.

• <u>Facilities Master Plan</u>. Mr. Chris Hoppe, Director of Parks and Recreation, gave a presentation and responded to Board members questions.

• <u>Belmont to Ferry Farm Trail</u>. Mr. Chris Hoppe, Director of Parks and Recreation, gave a presentation.

Mr. Tim Baroody, Deputy County Administrator, commented further.

Discussion ensued.

Mr. Crisp motioned, seconded by Mr. Brito, continue to move forward with phases 3 and 5 and bring back to the Board when appropriate, with a proposal with funding sources identified.

Discussion further ensued.

Mr. Dudenhefer made a substitute motion, seconded by Mr. Milde, to specify that the proposed matching funding would not come from Transportation Funds.

Discussion further ensued.

Ms. Kathy Baker, Assistant Director of Planning and Zoning, commented further.

Mr. Dudenhefer withdrew the substitute motion. He requested a friendly amendment.

Mr. Brito withdrew his second on the original motion.

Mr. Crisp accepted the friendly amendment, Mr. Milde seconded the amended motion.

Discussion continued.

The Voting Board tally on the original motion was:

Yea: (6) Dudenhefer, Milde, Schwartz, Sterling, Woodson, Crisp

Nay: (1) Brito

<u>Legislative</u>; Work Session on Transportation House Bill 3202/Chapter 896. Mr. Fulton deLamorton, Transportation Administrator, gave a presentation and responded to Board members questions.

Mr. Jeff Harvey, Director of Planning and Zoning, commented further.

Hearing no objections from the Board, a presentation was requested by the Virginia Department of Transportation.

<u>Legislative</u>; Work Session for Discussion on (Cash Proffer Guidelines). Mr. Anthony Romanello, County Administrator, gave a presentation and responded to Board members questions.

Mr. Dudenhefer motioned, seconded by Mr. Milde, to defer this item for 30 days for additional information.

The Voting Board tally was:

Yea: (7) Sterling, Woodson, Brito, Crisp, Dudenhefer, Milde, Schwartz

Nay: (0)

<u>Legislative</u>; <u>Additions to Closed Meeting</u>. Mr. Milde motioned, seconded by Mr. Brito, to add items to Closed Meeting.

The Voting Board tally was:

Yea: (6) Woodson, Brito, Crisp, Dudenhefer, Milde, Sterling

Nay: (1) Schwartz

<u>Legislative</u>; <u>Closed Meeting</u>. At 3:35 P.M., Mr. Brito motioned, seconded by Mr. Woodson, to adopt proposed Resolution CM08-11.

The Voting Board tally was:

Yea: (7) Brito, Crisp, Dudenhefer, Milde, Schwartz, Sterling, Woodson

Nay: (0)

Resolution CM08-11 reads as follows:

A RESOLUTION TO AUTHORIZE CLOSED MEETING

WHEREAS, the Board of County Supervisors desires to consult with counsel and discuss in Closed Meeting legal advice regarding the claim for damages by Michele A. Humphries; and personnel matters regarding County Attorney Legal Advice Issues; Board Appointments to Regional Entities; and Criminal Background Checks for Specific Fire and Rescue Volunteers; and

WHEREAS, pursuant to Section 2.2-3711 A.1 and A.7 Va. Code Ann., such discussions may occur in Closed Meeting;

NOW, THEREFORE, BE IT RESOLVED that the Stafford Board of Supervisors, on this the 20th day of May, 2008, does hereby authorize discussions of the aforestated matters in Closed Meeting.

<u>Call to Order.</u> At 3:48 P.M., the Chairman called the meeting to order.

<u>Legislative</u>; <u>Closed Meeting Certification</u>. Mr. Sterling motioned, seconded by Mr. Crisp, to adopt proposed Resolution CM08-11a.

The Voting Board tally was:

Yea: (7) Crisp, Dudenhefer, Milde, Schwartz, Sterling, Woodson, Brito

Nay: (0)

Resolution CM08-11a reads as follows:

A RESOLUTION TO CERTIFY THE ACTIONS OF THE STAFFORD COUNTY BOARD OF SUPERVISORS IN A CLOSED MEETING ON MAY 20, 2008

WHEREAS, the Board has, on this the 20th day of May, 2008, adjourned into a closed meeting in accordance with a formal vote of the Board and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, the Virginia Freedom of Information Act, as it became effective July 1, 1989, provides for certification that such Closed Meeting was conducted in conformity with law;

NOW, THEREFORE, BE IT RESOLVED that the Stafford County Board of Supervisors does hereby certify, on this the 20th day of May, 2008, that to the best of each member's knowledge: (1) only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act were discussed in the Closed Meeting to which this certification applies; and (2) only such public business matters as were identified in the Motion by which the said Closed Meeting was convened were heard, discussed, or considered by the Board. No member dissents from the aforesaid certification.

<u>Legislative</u>; Settle Claims of Michelle and Kevin Humphries Against the Department of Utilities.

Mr. Milde motioned, seconded by Mr. Sterling, to authorize the County Administrator to settle the claims of Michelle and Kevin Humphries in the amount not to exceed \$14,131.41.

The Voting Board tally was:

Yea: (7) Dudenhefer, Milde, Schwartz, Sterling, Woodson, Brito, Crisp

Nay: (0)

<u>Recess.</u> At 3:50 P.M., the Chairman declared a recess to attend the Ford T. Humphrey Public Safety Building Ribbon Cutting.

<u>Call to Order.</u> At 4:44 P.M., the Chairman called the meeting back to order.

<u>Legislative</u>; <u>Closed Meeting</u>. At 4:45 P.M., Mr. Woodson motioned, seconded by Mr. Milde, to adopt proposed Resolution CM08-12.

The Voting Board tally was:

Yea: (6) Milde, Schwartz, Woodson, Brito, Crisp, Dudenhefer

Nay: (0)

Absent: (1) Sterling

Resolution CM08-12 reads as follows:

A RESOLUTION TO AUTHORIZE CLOSED MEETING

WHEREAS, the Board of County Supervisors desires to consult with counsel and discuss in Closed Meeting personnel matters regarding County Attorney Legal Advice

Issues; Board Appointments to Regional Entities; and Criminal Background Checks for Specific Fire and Rescue Volunteers; and

WHEREAS, pursuant to Section 2.2-3711 A.1 Va. Code Ann., such discussions may occur in Closed Meeting;

NOW, THEREFORE, BE IT RESOLVED that the Stafford Board of Supervisors, on this the 20th day of May, 2008, does hereby authorize discussions of the aforestated matters in Closed Meeting.

Call to Order. At 5:08 P.M., the Chairman called the meeting back to order.

<u>Legislative</u>; <u>Closed Meeting Certification</u>. Mr. Sterling motioned, seconded by Mr. Woodson, to adopt proposed Resolution CM08-12a.

The Voting Board tally was:

Yea: (7) Schwartz, Sterling, Woodson, Brito, Crisp, Dudenhefer, Milde

Nay: (0)

Resolution CM08-12a reads as follows:

A RESOLUTION TO CERTIFY THE ACTIONS OF THE STAFFORD COUNTY BOARD OF SUPERVISORS IN A CLOSED MEETING ON MAY 20, 2008

WHEREAS, the Board has, on this the 20th day of May, 2008, adjourned into a closed meeting in accordance with a formal vote of the Board and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, the Virginia Freedom of Information Act, as it became effective July 1, 1989, provides for certification that such Closed Meeting was conducted in conformity with law;

NOW, THEREFORE, BE IT RESOLVED that the Stafford County Board of Supervisors does hereby certify, on this the 20th day of May, 2008, that to the best of each member's knowledge: (1) only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act were discussed in the Closed Meeting to which this certification applies; and (2) only such public business matters as were identified in the Motion by which the said Closed Meeting was convened were heard, discussed, or considered by the Board. No member dissents from the aforesaid certification.

Recess. At 5:09 P.M., the Chairman declared a recess until 7:00 P.M.

<u>Call to Order.</u> At 7:06 P.M., the Chairman called the meeting back to order.

<u>Invocation</u>. Mr. Crisp gave the Invocation.

<u>Pledge of Allegiance.</u> Mr. Crisp lead in the recitation of the Pledge of Allegiance to the Flag of the United States of America.

<u>Presentation of 2007 Stafford County Historic Preservation Awards.</u> Ms. Anita Dodd, Chairman of the Stafford County Historical Commission, presented the awards.

<u>Legislative</u>; <u>Presentations by the Public</u>. The following persons spoke on topics as identified:

Matt Warren - Town Hall Meeting.

Ranjit Singh - Save Crow's Nest.

Mark Dean - Business, Professional, and Occupational License

Tax.

Ruth Carlone - Salute to Stafford Day.

- Weather alerts.

- Dredging of Aquia Creek.

- Text messaging.

- Business, Professional and Occupational License

Tax.

Susan Simpson - Aircraft tax.

- Business, Professional and Occupational License

Tax.

Lou Silver - Taxes.

Transportation; Consider the Virginia Department of Transportation (VDOT) FY2009-2014 Six-Year Secondary Road Improvement Program. Mr. Fulton DeLamorton, Transportation Administrator, and David Stanley, VDOT Administrator, gave a presentation and responded to Board members questions.

The Chairman opened a joint public hearing with VDOT.

The following persons spoke:

David Star

Ranjit Singh

Jim Hazzard

Christopher Sheehan

Ruth Carlone

John Sullivan

Robert Knight

Lou Silver

Jo Knight

The Chairman closed the joint public hearing with VDOT.

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Mr. Sterling motioned, seconded by Mr. Dudenhefer, to adopt proposed Resolution

R08-236 with changes to include bridge replacement funds and youth driver task force

"hot spots".

Discussion ensued.

Mr. Milde requested a friendly amendment to include Andrew Chapel Road.

Discussion further ensued.

Mr. Woodson made a substitute motion, seconded by Mr. Brito, to adopt proposed

Resolution R08-236 with changes to include bridge replacement funds, youth driver task

force "hot spots" funds but no funding for Andrew Chapel Road.

The Voting Board tally was:

Yea: (4) Woodson, Brito, Crisp, Dudenhefer

Nay: (3) Milde, Schwartz, Sterling

Resolution R08-236 reads as follows:

A RESOLUTION TO ADOPT THE VIRGINIA DEPARTMENT OF

TRANSPORTATION FY2009-FY2014 SIX-YEAR SECONDARY

ROAD IMPROVEMENT PROGRAM

WHEREAS, pursuant to Section 33.1-70.01 of the Code of Virginia (1950), as

amended, the Board and representatives of the Virginia Department of Transportation

have conducted a public hearing for the proposed FY2009-FY2014 Six-Year Secondary

Road Improvement Program; and

WHEREAS, the Board has considered the recommendations of the Planning

Commission and the testimony received at the public hearing;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 20th day of May, 2008, that the FY2009-FY2014 Six-Year Secondary Road Improvement Program be and it hereby is adopted; and

BE IT FURTHER RESOLVED that a copy of this Resolution be forwarded to the VDOT Residency Administrator.

<u>Planning</u>; Rezone 372.85 Acres from A-1, Agricultural, to R-1, Suburban Residential at 134 Den Rich Road for Brentsmill, LLC. Mr. Jeff Harvey, Director of Planning and Zoning, gave a presentation and responded to Board members questions.

The Chairman opened a public hearing

The following persons spoke:

Clark Leming, on behalf of the Applicant

David Young

Skip Causey

Hattie Wynn

Clark Leming

The Chairman closed the public hearing

Mr. Woodson motioned, seconded by Mr. Crisp, to adopt proposed Resolution R08-193 to deny.

Mr. Sterling made a substitute motion, seconded by Mr. Milde, to defer this item until after the Comprehensive Plan is completed and adopted.

The Voting Board tally on the substitute motion was:

Yea: (3) Dudenhefer, Milde, Sterling

Nay: (4) Crisp, Schwartz, Woodson, Brito

The Voting Board tally on the original motion was:

Yea: (5) Brito, Crisp, Milde, Schwartz, Woodson

Nay: (0)

Abstain: (2) Dudenhefer, Sterling

Resolution R08-193 reads as follows:

A RESOLUTION TO DENY THE REQUEST TO AMEND AND REORDAIN THE ZONING ORDINANCE FOR STAFFORD COUNTY BY AMENDING THE ZONING DISTRICT MAP TO RECLASSIFY, WITH PROFFERS, FROM A-1, AGRICULTURAL TO R-1, SUBURBAN RESIDENTIAL, ASSESSOR'S PARCELS 22-20A, 22-20B, 22-21 AND 22-22, GRIFFIS-WIDEWATER ELECTION DISTRICT

WHEREAS, H. Clark Leming, applicant for Brentsmill, LLC, has submitted application RC230334 requesting reclassification, with proffers, of Assessor's Parcel 22-20A, 22-20B, 22-21, and 22-22 from A-1, Agricultural, to R-1, Suburban Residential, consisting of 372.85 acres, located on the north side of proposed Widewater Parkway, approximately 2,400 feet east of Telegraph Road and on the south side of Flippo Road, within the Griffis-Widewater Election District; and

WHEREAS, the Board has carefully considered the recommendation of the Planning Commission, staff and testimony at the public hearing;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 20th day of May, 2008, that application RC230334 be and it hereby is denied.

Recess. At 9:23 P.M., the Chairman declared a recess.

Call to Order. At 9:35 P.M., the Chairman called the meeting back to order.

<u>Planning and Zoning; Amend the County Code to Create the Potomac River Resource</u>
<u>Protection Overlay District.</u> Mr. Jeff Harvey, Director of Planning and Zoning, gave a presentation and responded to Board members questions.

The Chairman opened a public hearing.

The following persons spoke:

Troy Howell

Sherry Bailey

Rajah Singh

Bruce Reese

Richard Nageotte

Mariel Hopson

Rick Morrow

Pete Fields

Joan Roundtree

Mike Mendleson

Maryanne Crampton

Randy McGregor

Rick McGregor

Carlos Ferran

Charles "Skip" Causey

Tommy Cropp

Eric Martin

John Vergeres

Bettina McWhirt

George McWhirt

Bill

Carl

Harvey Gold

Robert Berner

Spencer Hudson

Robert Knight

Nan Rollison

Heather Stefl

Lloyd Chittum

Gloria Chittum

Lou Silver

Jo Knight

Cecelia Kirkman

The Chairman closed the public hearing.

Mr. Brito motioned, seconded by Mr. Crisp, to defer proposed Ordinance O08-27.

Mr. Sterling made a substitute motion, seconded by Mr. Milde, to defer proposed Ordinance O08-27 for 60 days.

Discussion ensued.

Mr. Sterling made a second substitute motion, seconded by Mr. Woodson, to defer proposed Ordinance O08-27 for two weeks.

Discussion further ensued.

The Voting Board tally was:

Yea: (4) Sterling, Woodson, Crisp, Dudenhefer, Milde

Nay: (3) Brito, Milde, Schwartz

Recess. At 12:45 A. M. the Chairman declared a recess.

<u>Call to Order.</u> At 12:55 A. M. the Chairman called the meeting back to order.

Finance; Authorize Lease-Financing for School Equipment, Fire and Rescue Vehicles,

Technology Upgrades and Other County Equipment Through a Master Lease Agreement,
and Award a Contract for a New Master Lease Agreement. Ms. Shelley Carmichael,
Assistant Director of Finance, gave a presentation and responded to Board members
questions.

The Chairman opened a public hearing.

No one desired to speak

The Chairman closed the public hearing

Mr. Sterling motioned, seconded by Mr. Woodson, to adopt proposed Resolution R08-234.

The Voting Board tally was:

Yea: (7) Woodson, Brito, Crisp, Dudenhefer, Milde, Schwartz, Sterling

Nay: (0)

Resolution R08-234 reads as follows:

A RESOLUTION AUTHORIZING THE EQUIPMENT LEASE FINANCING OF CERTAIN FIRE AND RESCUE EQUIPMENT

WHEREAS, the Board of Supervisors (the "Board") of Stafford County, Virginia (the "County") has determined that it is necessary and advisable to finance, on a tax-exempt basis, the cost of the acquisition of fire and rescue equipment, consisting primarily of fire trucks and rescue vehicles for the County (the "Fire and Rescue Equipment") in the maximum principal amount of \$1,580,000; and

WHEREAS, the Fire and Rescue Equipment will be used by various 501(c)(3) volunteer fire and rescue organizations in the County; and

WHEREAS, pursuant to Section 147(f) of the Internal Revenue Code of 1986, as amended, the Board held a public hearing on May 6, 2008 on the proposed lease-financing by the County of the Fire and Rescue Equipment; and

WHEREAS, the Board previously executed and delivered a Master Lease Agreement dated April 30, 2004, between the County and Banc of America Leasing & Capital LLC (as previously amended, the "Master Lease Agreement"), pursuant to which the County has previously issued and continues to issue tax-exempt and taxable lease financings; and

WHEREAS, the Board finds that it is necessary to amend the Master Lease Agreement to revise the method in which interest rates are calculated thereunder;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF STAFFORD COUNTY, VIRGINIA:

Amendment of Master Lease Agreement. The Board authorizes the amendment to the Master Agreement (the "Amendment to Master Lease Agreement," together with the Master Lease Agreement, the "Master Agreement") to revise certain provisions therein, including the method in which interest rates are calculated thereunder. The County Administrator and the Chairman of the Board, or either of them, are authorized and directed to determine and approve the final method for the calculation of interest rates under the Master Lease Agreement. The County Administrator and the Chairman of the Board, or either of them, or such officers as either of them may designate are authorized to execute and deliver on behalf of the County the Amendment to Master Lease Agreement.

2. Acceptance of Proposal; Authorization and Execution of Documents.

The County Administrator, or such officer as he may designate, is authorized and directed to accept a proposal to provide financing, on a tax-exempt or taxable basis, for the Fire and Rescue Equipment that the County Administrator, or his

designee, determines to be in the County's best interest, in the aggregate principal amount not to exceed \$1,580,000 for the Fire and Rescue Equipment. The County Administrator and the Chairman of the Board, or either of them, or such officers as either of them may designate, are authorized to execute and deliver on behalf of the County an appendix under the Master Agreement or other similar financing agreement and to execute and deliver such instruments, agreements, documents, or certificates, and to do and perform such things and acts, as they shall deem necessary or appropriate to carry out the transactions authorized by this Resolution; and all of the foregoing, previously done or performed by such officers or agents of the County, are in all respects approved, ratified and confirmed.

- **Nature of Obligations.** The obligation of the County to make payments under the Master Agreement, or similar financing agreement, will be subject to appropriation each year by the Board. Nothing in this Resolution, the Master Agreement, or similar financing agreement shall constitute a debt or a pledge of the faith and credit of the County.
- **4. Effective Date.** This Resolution shall take effect immediately.

Mr. Sterling motioned, seconded by Mr. Crisp, to adopt proposed Resolution R08-248.

The Voting Board tally was:

Yea: (7) Brito, Crisp, Dudenhefer, Milde, Schwartz, Sterling, Woodson

Nay: (0)

Resolution R08-248 reads as follows:

A RESOLUTION AUTHORIZING THE EQUIPMENT LEASE FINANCING OF CERTAIN SCHOOL EQUIPMENT, FIRE AND RESCUE VEHICLES, TECHNOLOGY UPGRADES AND OTHER COUNTY EQUIPMENT WHEREAS, the Board of Supervisors (the "Board") of Stafford County, Virginia (the "County") has determined that it is necessary and advisable to finance, on a tax-exempt or taxable basis the cost of the acquisition of certain (1) fire and rescue equipment, consisting primarily of fire trucks and rescue vehicles for the County (the "Fire and Rescue Equipment"), (2) software and technology upgrades (the "Technology Equipment"), (3) school vehicles (the "School Equipment") and/or (4) other equipment to be used by the County ("Other Equipment," together with the Fire and Rescue Equipment, Technology Equipment and School Equipment, the "Equipment") in the maximum principal amount of \$16,000,000; and

WHEREAS, the Fire and Rescue Equipment will be used by various 501(c)(3) volunteer fire and rescue organizations operating in the County; and

WHEREAS, pursuant to Section 147(f) of the Internal Revenue Code of 1986, as amended, the Board held a public hearing on May 20, 2008 on the proposed lease financing by the County of the Fire and Rescue Equipment;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF STAFFORD COUNTY, VIRGINIA:

1. Acceptance of Proposal; Authorization and Execution of Documents.

The County Administrator, or such officer as he may designate, is authorized and directed to accept a proposal to provide financing, on a tax-exempt or taxable basis, for the Equipment that the County Administrator, or his designee, determines to be in the County's best interest, in the aggregate principal amount not to exceed \$16,000,000 for the Equipment. The County Administrator and the Chairman of the Board, or either of them, or such officers as either of them may designate, are authorized to execute and deliver on behalf of the County an equipment lease purchase agreement ("Master Lease Agreement") or other similar financing agreement and to execute and deliver such instruments, agreements, documents, or certificates, and to do and perform such things and acts, as they shall deem necessary or appropriate to carry out the transactions authorized by this Resolution; and all of the foregoing, previously done or performed by such

officers or agents of the County, are in all respects approved, ratified and confirmed.

- **Nature of Obligations.** The obligation of the County to make payments under the Master Lease Agreement, or similar financing agreement, will be subject to appropriation each year by the Board. Nothing in this Resolution, the Master Lease Agreement, or similar financing agreement shall constitute a debt or a pledge of the faith and credit of the County.
- 4. <u>Effective Date.</u> This Resolution shall take effect immediately. <u>Utilities; Authorize Granting of a Sanitary Sewer Easement on County-Owned Property at the Rowser Building.</u> Mr. Anthony Romanello, County Administrator, gave a presentation and responded to Board members questions.

Mr. Sterling motioned, seconded by Mr. Woodson, to defer proposed Resolution R08-247 to the next Board meeting.

The Voting Board tally was:

Yea (6) Crisp, Dudenhefer, Schwartz, Sterling, Woodson, Brito

Nay (1) Milde

<u>Legislative</u>; <u>Addition to the Regular Agenda.</u> Mr. Milde motioned, seconded by Mr. Brito, to add a discussion item on possible funding sources for the Purchase of Development Rights Program.

The Voting Board tally was:

Yea: (7) Dudenhefer, Milde, Schwartz, Sterling, Woodson, Brito, Crisp

Nay: (0)

<u>Legislative</u>; Consent Agenda. Mr. Woodson motioned, seconded by Mr. Crisp, to adopt the Consent Agenda, consisting of Items 12 thru 25 omitting Items 17, 19b, and 21.

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The Voting Board tally was:

Yea: (7) Milde, Schwartz, Sterling, Woodson, Brito, Crisp, Dudenhefer

Nay: (0)

Item 12. Legislative; Approve Minutes of Board Meeting. Regular Meeting of April 15,

2008.

<u>Item 13. Finance; Approve Expenditure Listing</u>

Resolution R08-272 reads as follows:

A RESOLUTION TO APPROVE EXPENDITURE LISTING (EL)

DATED MAY 6, 2008 THROUGH MAY 19, 2008

WHEREAS, the Board has appropriated funds to be expended for the purchase of

goods and services in accordance with an approved budget; and

WHEREAS, the payments appearing on the above-referenced Listing of

Expenditures represent payment of \$100,000 and greater for the purchase of goods and/or

services which are within the appropriated amounts;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of

Supervisors on this the 20th day of May, 2008 that the above-mentioned EL be and it

hereby is approved.

Item 14. Utilities; Award a Contract for the Rehabilitation of Wastewater Collection

System Infrastructure

Resolution R08-282 reads as follows:

A RESOLUTION TO AUTHORIZE THE COUNTY ADMINISTRATOR TO EXECUTE A CONTRACT FOR THE REHABILITATION OF WASTEWATER COLLECTION SYSTEM INFRASTRUCTURE

WHEREAS, Utilities staff has identified components of the wastewater collection system that have deteriorated and are in need of rehabilitation; and

WHEREAS, the Board has appropriated funds in the FY2008 Capital Budget to maintain the integrity of these components; and

WHEREAS, the County has an option to ride a contract Lyttle Utilities has with Stephens City, Virginia to perform the types of rehabilitation needed;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 20th day of May 2008, that the County Administrator be and he hereby is authorized to execute a contract with Lyttle Utilities, Inc. in an amount not to exceed Three Hundred Fifty-six Thousand One Hundred Ninety-nine Dollars (\$356,199) for this purpose.

<u>Item 15. Utilities; Award a Contract for Engineering Services for Route 1 / Wayside</u> Interceptor Sewer Improvements

Resolution R08-283 reads as follows:

A RESOLUTION TO AUTHORIZE THE COUNTY ADMINISTRATOR
TO EXECUTE A CONTRACT FOR ENGINEERING SERVICES FOR THE
U.S. ROUTE 1/WAYSIDE INTERCEPTOR SEWER IMPROVEMENTS

WHEREAS, the Wayside sewer interceptor is operating close to capacity during periods of peak flow; and

WHEREAS, the General Sewer Improvement Plan and the draft 2005 Water and Sewer System Master Plan recommend replacing the sewer interceptor to provide added capacity for economic expansion; and

WHEREAS, this project has been approved and funds are available in the current year budget; and

WHEREAS, Dewberry and Davis has proposed to provide engineering services for the design of these improvements for the fee of \$110,200;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 20th day of May 2008, that the County Administrator be and he hereby is authorized to execute a contract with Dewberry and Davis in an amount not to exceed One Hundred Ten Thousand Two Hundred Dollars (\$110,200) for engineering services for the design and construction of the US Route 1/Wayside sewer and improvements.

Item 16. Economic Development and Legislative Affairs; Request State Agencies and the U.S. Department of Defense to Fully Participate in the U.S. Census Bureau's Local Employment Dynamics (LED) Program to Provide Detailed Reporting of Employee Numbers by Location for Improved Local Planning Purposes

Resolution R08-286 reads as follows:

A RESOLUTION TO REQUEST THE SUPPORT OF VIRGINIA'S
CONGRESSIONAL DELEGATION TO DIRECT THE U.S. DEPARTMENT
OF DEFENSE TO PARTICIPATE IN THE U.S. BUREAU OF CENSUS
LOCAL EMPLOYMENT DYNAMICS (LED) PROGRAM

WHEREAS, the U.S. Bureau of Census, in cooperation with the U.S. Department of Labor and State Employment Agencies (including the Virginia Employment

Commission), has implemented the Local Employment Dynamics (LED) program over the last 10 years; and

WHEREAS, the LED program is finally achieving the scope of a national statistical program through its partnership with 47 states and the District of Columbia; and

WHEREAS, the LED program is designed to enable researchers and public policy analysts to investigate and monitor temporal changes in local employment, commuting and labor force characteristics on a sub-jurisdictional basis; and

WHEREAS, scheduled enhancements to the LED program to be introduced in 2008 will include the additional reporting of federal civilian employment, state and local government employment, as well as add 2005 and 2006 data to the existing 2002-2004 time-series of private sector covered wage and salary employment data; and

WHEREAS, the U.S. Bureau of the Census is implementing significant hardware and software enhancements of the LED program to support many more public data users through this Internet-based data application; and

WHEREAS, the U.S. Bureau of Census has not yet established cooperative efforts with the U.S. Department of Defense and its many branches of the armed services to add active-duty military personnel to the employment data reported through the LED program; and

WHEREAS, the Commonwealth of Virginia has the second largest active duty federal military population in the United States (as reported in federal statistics for September 2005); and

WHEREAS, the 126,205 U.S. active-duty military personnel in Virginia (as of September 2005) represent a significant component of local and sub-state regional economies; and

WHEREAS, the decisions of the Base Realignment and Closure Commission (BRAC) will affect significant dislocations and relocations within and among U.S. military installations located in Virginia, including among them Fort Belvoir, Marine Corps Base Quantico, Fort A.P. Hill and the Naval Surface Weapons Center Dahlgren as installations proximate to or locate within Stafford County and the George Washington Regional Commission Planning District; and

WHEREAS, a significant number of residents of Stafford County and the GWRC Planning District work in federal military jobs both within and outside the Region, including such destinations as the Pentagon, other military installations in Northern Virginia and Washington D.C.;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 20th day of May, 2008, that it be and hereby does recognize and commend the U.S. Bureau of the Census, the U.S. Department of Labor and its partner state unemployment agencies in the development and continued enhancement of the innovative Local Employment Dynamics (LED) program to provide better and more timely tools and information for planning and managing community growth and development throughout the United States; and

BE IT FURTHER RESOLVED, that the Board requests the members of Virginia's Congressional delegation, and in particular, those members serving on the U.S. House and Senate Armed Services Committees, to urge the U.S. Department of Defense to participate in the Census Bureau's Local Employment Dynamics program so that active-duty military personnel are included in the databases matched confidentially by the Census Bureau to provide more accurate small area employment and labor force statistics

which are inclusive of federal active-duty military personnel posted within the United States.

Resolution R08-289 reads as follows:

A RESOLUTION TO REQUEST THE GOVERNOR OF VIRGINIA TO DIRECT STATE AGENCIES TO PARTICIPATE IN THE U.S. CENSUS BUREAU'S LOCAL EMPLOYMENT DYNAMICS (LED) PROGRAM

WHEREAS, the U.S. Census Bureau, in cooperation with the U.S. Department of Labor and State Employment Agencies (including the Virginia Employment Commission), has implemented the Local Employment Dynamics (LED) program over the last 10 years; and

WHEREAS, the LED program is finally achieving the scope of a national statistical program through agreements with 47 states and the District of Columbia; and

WHEREAS, the LED program is designed to enable researchers and public policy analysts to investigate and monitor changes in local employment, commuting and labor force characteristics within a jurisdiction; and

WHEREAS, scheduled enhancements to the LED program to be introduced in 2009 will include the additional reporting of federal civilian employment, and state government and local government employment; and

WHEREAS, the U.S. Census Bureau is implementing significant hardware and software enhancements of the LED program to support many more public data users through this Internet-based data application; and

WHEREAS, the Commonwealth of Virginia is a significant employer in the George Washington region and Stafford County, with many state government

employment sites commonly aggregated by many State agencies under one work site record, thereby distorting the accurate reporting of the spatial distribution of State agency employees; and

WHEREAS, the accurate reporting of employment levels and location patterns and the changes that occur over time are important to affect better land use and transportation planning coordination, as well as supporting the success of local and regional economic development efforts; and

WHEREAS, examples of erroneous location coding for various State agencies have been identified by the George Washington Regional Commission staff as well as the Stafford County Department of Economic Development; and

WHEREAS, the Stafford County Board of Supervisors desires the most accurate information practicable to support community planning and economic development;

NOW, THEREFORE, BE IT RESOLVED that the Stafford County Board of Supervisors on this the 20th day of May 2008, be and it hereby does request the Governor of the Commonwealth of Virginia to direct all state agencies and institutions to provide the Virginia Employment Commission with covered employment records for said agencies and institutions that accurately report the unique work site locations (by physical street address and corresponding FIPS code) for any and all State work sites with 10 or more covered employees, as provided under U.S. Department of Labor guidelines for the national unemployment insurance program and to improve the locational accuracy of community data derived from the LED program that relies on the accuracy of these employment reports.

Item 18. Economic Development and Legislative Affairs; Support an Application for the Preserve America Community Designation

Resolution R08-290 reads as follows:

A RESOLUTION TO SUPPORT AN APPLICATION FOR THE PRESERVE AMERICA COMMUNITY DESIGNATION

WHEREAS, *Preserve America* is a White House initiative developed in cooperation with the Advisory Council on Historic Preservation, the U.S. Department of the Interior, and the U.S. Department of Commerce; and

WHEREAS, the goals of this initiative include a greater shared knowledge about our Nation's past, strengthened regional identities and local pride, increased local participation in preserving the country's irreplaceable cultural and natural heritage assets, and support for the economic vitality of communities; and

WHEREAS, this initiative is compatible with interests and goals related to historic preservation as asserted in the Land Use Plan, which states Stafford County shall "Preserve significant historic and/or archaeological sites and cemeteries..."; and

WHEREAS, this program will help Stafford County renew its commitment to the challenging responsibility of managing its cultural resources; and

WHEREAS, the Month of May is Historic Preservation Month every year in Stafford County, as proclaimed on April 5, 2005; and

WHEREAS, designation as a *Preserve America* Community will strengthen Stafford County's ability to preserve and protect its historical resources, promote heritage tourism marketing, and foster economic vitality;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors that on this 20th day of May 2008, that the County Administrator be and he hereby is authorized to apply for the designation of Stafford as a *Preserve America* Community; and

BE IF FURTHER RESOLVED that the County will remain committed to protect and celebrate our heritage, use our historic assets for economic development and community revitalization, and encourage citizens and visitors to experience and appreciate local historic resources through education and heritage tourism programs.

Item 19a. Utilities; Amend and Readopt the Fees for Providing Public Water Service

Resolution R08-269 reads as follows:

A RESOLUTION TO AUTHORIZE THE COUNTY ADMINISTRATOR
TO ADVERTISE A PUBLIC HEARING TO AMEND AND READOPT
FEES PROVIDING FOR PUBLIC WATER SERVICE

WHEREAS, the Board desires to consider a change in the charges for public water service in order to promote the conservation of water; and

WHEREAS, the Board desires to consider public comments concerning the proposed fee changes;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 20th day of May 2008, that the County Administrator be and he hereby is authorized to advertise for a public hearing on June 17, 2008, for the purpose of amending and readopting fees providing for public water service.

Item 19c. Planning and Zoning; Amend the Stormwater Management Ordinance and Design Manual

Resolution R08-276 reads as follows:

A RESOLUTION TO AUTHORIZE THE COUNTY ADMINISTRATOR

TO ADVERTISE A PUBLIC HEARING TO AMEND STAFFORD COUNTY CODE, CHAPTER 21.5, "STORMWATER MANAGEMENT" AND THE STORMWATER MANAGEMENT DESIGN MANUAL

WHEREAS, the local Stormwater Management Programs are authorized by the Code of Virginia to have more stringent regulations than the State; and

WHEREAS, the Board desires to amend the Stormwater Management Ordinance to prevent any further degradation to water resources, stream channel erosion, groundwater resources, or excessive localized flooding;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 20th day of May, 2008, that the County Administrator be and he hereby is authorized to advertise a public hearing on July 1, 2008, to amend the Stormwater Management Ordinance as stated by proposed Ordinance O08-50.

<u>Item 20. Utilities; Approve Contract for the Purchase of Parcels 44-12 and 44-13 for Rocky Pen Run Reservoir.</u>

Resolution R08-278 reads as follows:

A RESOLUTION APPROVING A LAND ACQUISITION CONTRACT FOR THE PURCHASE OF PARCELS 44-12 AND 44-13 FOR ROCKY PEN RUN RESERVOIR

WHEREAS, Resolution R04-237 authorized the County Administrator to enter into contracts for the purchase of certain properties for Rocky Pen Run Reservoir; and

WHEREAS, the County's offer to purchase 10.48 acres portion of Parcels 44-12 and 44-13, owned by Woodside Rocky Pen, LLC, for the appraised value of \$372,241 was accepted by the property owners; and

WHEREAS, the Board desires to approve the purchase of this property;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 20th day of May, 2008, that the Agreement of Conveyance between the Board of Supervisors of Stafford County and Woodside Rocky Pen, LLC, regarding TM 44-12 and 44-13, be and it hereby is approved in the amount of Three Hundred Seventy-two Thousand Two Hundred Forty-one Dollars (\$372,241); and

BE IT FURTHER RESOLVED that the County Administrator be and he hereby is authorized to execute all documents necessary to close on the above-referenced property.

Item 22. Transportation; Petition VDOT to Include Ashburn Lane within Ashburn Hills Subdivision; Fletcher Drive, Theodore Street, Alex Court, Stanley Loop and Chain Drive within England Run North Subdivision, Sections 18 and 19A; and Summerwood Drive and Sunrise Valley Court within Summerwood Subdivision, Phase 2, Sections 4 and 5 into the Secondary System of State Highways.

Resolution R08-268 reads as follows:

A RESOLUTION WHICH PETITIONS THE VIRGINIA DEPARTMENT OF TRANSPORTATION TO INCLUDE ASHBURN LANE WITHIN ASHBURN HILLS SUBDIVISION, INTO THE SECONDARY SYSTEM OF STATE HIGHWAYS

WHEREAS, the Board, pursuant to Section 33.1-229 of the Code of Virginia (1950), as amended, desires to add Ashburn Lane within Ashburn Hills Subdivision, into the Secondary System of State Highways; and

WHEREAS, the Virginia Department of Transportation has inspected this street and found it acceptable;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 20th day of May 2008, that the Virginia Department of Transportation (VDOT) be and it hereby is petitioned to include the following street within Ashburn Hills Subdivision into the Secondary System of State Highways:

Street Station Length
Ashburn Ln. (SR-1716) From: Inter. Warrenton Rd. (US-17) 0.36 Mi.

To: 0.36 Mi. NE Inter. Warrenton Rd. (US-17) 110'-50' ROW

An unrestricted right-of-way (ROW), as indicated above, for this street with necessary easements for cuts, fills and drainage is guaranteed, as evidenced by Plat of Record entitled Ashburn Hills Subdivision, LR 040007997, PM 040000042, recorded February 25, 2004; and

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to the developer and the Residency Administrator of VDOT.

Resolution R08-270 reads as follows:

A RESOLUTION WHICH PETITIONS THE VIRGINIA DEPARTMENT
OF TRANSPORTATION TO INCLUDE FLETCHER DRIVE, THEODORE
STREET, ALEX COURT, STANLEY LOOP AND CHAIN DRIVE WITHIN
ENGLAND RUN NORTH SUBDIVISION, SECTIONS 18 AND 19A, INTO
THE SECONDARY SYSTEM OF STATE HIGHWAYS

WHEREAS, the Board, pursuant to Section 33.1-229 of the Code of Virginia (1950), as amended, desires to add Fletcher Drive, Theodore Street, Alex Court, Stanley

Loop and Chain Drive within England Run North Subdivision, Sections 18 and 19A, into the Secondary System of State Highways; and

WHEREAS, the Virginia Department of Transportation has inspected these streets and found them acceptable;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 20th day of May 2008, that the Virginia Department of Transportation (VDOT) be and it hereby is petitioned to include the following streets within England Run North Subdivision, Sections 18 and 19A into the Secondary System of State Highways:

Street	<u>Station</u>	<u>Length</u>	
Fletcher Dr. (SR-2036)	From: Inter. Lyons Blvd. (SR-2030)	0.15 Mi.	
	To: Inter. Theodore St./Alex Ct. (SR-2037)	50' ROW	
Fletcher Dr. (SR-2036)	From: Theodore St./Alex Ct. (SR-2037)	0.07 Mi.	
	To: N. Inter. Theodore St./Alex Ct. (SR-2037)	50' ROW	
Theodore St. (SR-2037)	From: Inter. Lyons Blvd. (SR-2030)	0.11 Mi.	
	To: Inter. Fletcher Dr. (SR-2036)	50' ROW	
Alex Ct. (SR-2037)	From: Inter. Lyons Blvd (SR-2030)	0.07 Mi.	
	To: Inter. W. Inter. Lyons Blvd. (SR-2030)	50' ROW	
Stanley Loop (SR-2038)	From: Inter. Lyons Blvd. (SR-2030) N.	0.02 Mi.	
	To: Inter. Chain Ct. (SR-2039)	50' ROW	
Stanley Loop (SR-2038) From: Inter. Chain Ct. (SR-2039) 0.1			
	To: Inter. Lyons Blvd. (SR-2030) S.	50' ROW	
	10: Inter. Lyons Blvd. (SR-2030) S.	50 ROW	

Chain Ct. (SR-2039) From: Inter. Stanley Loop (SR-2038) 0.04 Mi.

To: Inter. Stanley Loop (SR-2038) 50' ROW

An unrestricted right-of-way (ROW), as indicated above, for each street with necessary easements for cuts, fills and drainage is guaranteed, as evidenced by Plats of Record entitled England Run North Subdivision, Section 18, LR 20013337, PM 020000093, recorded May 14, 2002; England Run North Subdivision, Section 18, Street Drainage Easement, PM 010000256, LR. 010027700, recorded December 6, 2001 and England Run North Subdivision, Section 19A, LR 030029648, PM 03000110, recorded July 25, 2003; and

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to the developer and the Residency Administrator of VDOT.

Resolution R08-271 reads as follows:

A RESOLUTION WHICH PETITIONS THE VIRGINIA DEPARTMENT OF TRANSPORTATION TO INCLUDE SUMMERWOOD DRIVE AND SUNRISE VALLEY COURT WITHIN SUMMERWOOD SUBDIVISION, PHASE 2, SECTIONS 4 AND 5, INTO THE SECONDARY SYSTEM OF STATE HIGHWAYS

WHEREAS, the Board, pursuant to Section 33.1-229 of the Code of Virginia (1950), as amended, desires to add Summerwood Drive and Sunrise Valley Court within Summerwood Subdivision, Phase 2, Sections 4 and 5, into the Secondary System of State Highways; and

WHEREAS, the Virginia Department of Transportation has inspected these streets and found them acceptable;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 20th day of May 2008, that the Virginia Department of Transportation (VDOT) be and it hereby is petitioned to include the following streets within Summerwood Subdivision, Phase 2, Sections 4 and 5 into the Secondary System of State Highways:

Street	<u>Station</u>	Length
Summerwood Dr. (SR-779)	From: Inter. Sunny Brooke Ln. (SR-780)	0.13 Mi.
	To: Sunrise Valley Ct. (SR-1740)	60' ROW
Summerwood Dr. (SR-779)	From: Inter. Sunrise Valley Ct. (SR-1740)	0.14 Mi.
	To: Puri Ln. (SR-1741)	60' ROW
Sunrise Valley Ct. (SR-1740)	From: Inter. Summerwood Dr. (SR-779)	0.30 Mi.
	To: Summerwood Dr. (SR-779)	50' ROW

An unrestricted right-of-way (ROW), as indicated above, for each street with necessary easements for cuts, fills and drainage is guaranteed, as evidenced by Plats of Record entitled Summerwood Subdivision, Phase 2, Section 4, LR 000000681, recorded January 14, 2000, and Summerwood Subdivision, Phase 2, Section 5, LR 000000684, recorded January 14, 2000; and

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to the developer and the Residency Administrator of VDOT.

<u>Item 23. Legislative; Approve the Virginia Juvenile Community Crime Control Act Plan</u> for 2009-2010 Biennium.

Resolution R08-291 reads as follows:

A RESOLUTION TO APPROVE THE VIRGINIA JUVENILE COMMUNITY CRIME CONTROL ACT PLAN FOR 2009-2010 BIENNIUM

WHEREAS, the County of Stafford has been authorized funding pursuant to the Virginia Juvenile Community Crime Control Act to create additional delinquency prevention programs;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 20th day of May, 2008, that the plan, as prepared by the Fifteenth Judicial District Court Service Unit for the use of these funds from the Department of Juvenile Justice, be and it hereby is approved; and

BE IT FURTHER RESOLVED that the County Administrator be and he hereby is authorized to execute approval of said plan.

Item 24. Planning and Zoning; Authorize the Initiation of Reclassification of Assessor's Parcels 54-91, 54-92, 54-92A, 54-93 and 54-93A on George Washington's Ferry Farm and Ferry Farm from A-1 and B-2 to the Heritage Interpretation Zoning District.

Resolution R08-259 reads as follows:

A RESOLUTION TO AUTHORIZE THE INITIATION OF RECLASSIFICATION OF ASSESSOR'S PARCELS 54-91, 54-92, 54-92A, 54-93, AND 54-93A, FROM A-1 AND B-2 TO THE HERITAGE INTERPRETATION ZONING DISTRICT

WHEREAS, Goal 9 of the Stafford County Land Use Plan states that significant historic and/or archaeological sites should be protected and preserved through private, public, or quasi-public groups; and

WHEREAS, Assessor's Parcels 54-91, 54-92, 54-92A, 54-93, and 54-93A, have been identified as George Washington's Ferry Farm, which has been listed on the National Register of Historical Places and Virginia Landmarks Register, and designated as a National Historic Landmark; and

WHEREAS, existing Stafford County zoning requirements do not currently address the unique needs of heritage tourism sites, cultural interpretive centers, or museums; and

WHEREAS, the Heritage Interpretation Zoning District provides appropriate guidelines for developing heritage tourism sites and permits proper restoration, preservation, conservation, education, research, and business activities related to the operation of museums and other heritage tourism sites in Stafford County; and

WHEREAS, the Board finds that public necessity, convenience, general welfare, and good zoning practice requires adoption of such an ordinance;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 20th day of May, 2008, that the Board be and hereby does authorize the initiation of reclassification of Assessor's Parcels 54-93, 54-93A, 54-91, 54-92, 54-92A from A-1 and B-2 to the Heritage Interpretation Zoning District.

Item 25. Administration; Execute an Agreement with the George Washington Regional Commission (GWRC).

Resolution R08-292 reads as follows:

A RESOLUTION TO AUTHORIZE THE COUNTY ADMINISTRATOR
TO EXECUTE AN AGREEMENT WITH THE GEORGE WASHINGTON
REGIONAL COMMISSION

WHEREAS, Virginia Code Section 15.2-4205, as amended, states that planning district commissions are a "public body corporate and politic"; and

WHEREAS, the George Washington Regional Commission (GWRC) is the planning district commission for the region serving the counties of Stafford, Spotsylvania, King George and Caroline, and the city of Fredericksburg; and

WHEREAS, GWRC serves the citizens of the area through programs dedicated to a variety of issues including transportation, ridesharing, telecommuting, and environmental concerns; and

WHEREAS, GWRC and the County have had an agreement since July 2006, which allows the Executive Director and employees of GWRC to be included in the County's classification, pay and benefits programs and be entitled to receive those benefits made available to the County's classified employees; and

WHEREAS, the agreement has been revised and updated and GWRC will continue to be required to fund the cost of employee compensation and benefits for all GWRC employees including the Executive Director;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 20th day of May, 2008, that the County Administrator be and he hereby is authorized to execute an agreement with GWRC to include the Executive Director and the employees of GWRC in the County's classification, pay and benefits program.

Economic Development and Legislative Affairs; Authorize Approval of an Acquisition Agreement Between the Aquia Harbour Property Owners Association, Inc., and the County of Stafford for Access to Government Island. Mr. Joe Brito commented.

Mr. Tim Baroody, Deputy County Administrator/Director of Economic Development and Legislative Affiars, commented further.

Mr. Brito motioned, seconded by Mr. Milde, to adopt proposed Resolution R08-287.

The Voting Board tally was:

Yea: (7) Schwartz, Sterling, Woodson, Brito, Crisp, Dudenhefer, Milde

Nay: (0)

Resolution R08-287 reads as follows:

A RESOLUTION TO AUTHORIZE THE APPROVAL OF AN ACQUISITION AGREEMENT BETWEEN THE AQUIA HARBOUR PROPERTY OWNERS ASSOCIATION, INC. AND THE COUNTY OF STAFFORD FOR ACCESS TO GOVERNMENT ISLAND

WHEREAS, the Board desires to construct a public parking lot and a nature/access trail from Route 631 to property owned by the County designated as Tax Parcel 21B-2803 and commonly known as Government Island; and

WHEREAS, in order to construct said parking lot and nature/access trail, it will be necessary for the County to acquire from the Aquia Harbour Property Owners Association (AHPOA) a 3.719 acre parcel of real estate as shown on plat entitled PLAT OF CONSOLIDATION AND CONVEYANCE GOVERNMENT ISLAND PARK ACCESS; and

WHEREAS, the residents by referendum and the AHPOA agreed, on April 24, 2008 to convey said parcel to the County; and

WHEREAS, the Board desires to close on the property at the earliest possible date:

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 20th day of May, 2008 that the County Administrator be and he hereby is authorized to sign all necessary documents to effect the acquisition of a 3.719 parcel of real estate currently owned by the Aquia Harbour Property Owners Association for the construction of a public parking lot and a nature/access trail to Government Island.

<u>Code Administration; Amend the Erosion and Sediment Control Ordinance to Require</u>
<u>Construction Phasing.</u> Mr. Milde commented.

The County Attorney commented further.

Mr. Milde motioned, seconded by Mr. Sterling, to adopt proposed Resolution R08-288 with a change to the proposed Ordinance.

The Voting Board tally was:

Yea: (5) Sterling, Crisp, Dudenhefer, Milde, Schwartz

Nay: (2) Woodson, Brito

Resolution R08-288 reads as follows:

A RESOLUTION TO AUTHORIZE THE COUNTY ADMINISTRATOR
TO ADVERTISE A PUBLIC HEARING TO AMEND STAFFORD COUNTY
CODE, CHAPTER 11, "EROSION AND SEDIMENT CONTROL", TO
REQUIRE CONSTRUCTION PHASING

WHEREAS, local Erosion and Sediment Control programs are authorized by the Code of Virginia to have more stringent regulations than the State minimum criteria; and

WHEREAS, mass grading of large development sites can result in increased

sediment loads in runoff leaving construction sites; and

WHEREAS, conventional erosion control practices on the average remove only

seventy percent of sediments in runoff; and

WHEREAS, construction phasing provides a technique to reduce sediment loads

leaving construction sites by allowing only a specified portion of the development site to

be disturbed at any one time; and

WHEREAS, the Board desires to amend Stafford County Code, Chapter 11,

Erosion and Sediment Control", to require construction phasing for development

projects;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of

Supervisors on this the 20th day of May 2008, that the County Administrator be and he

hereby is authorized to advertise a public hearing on July 1, 2008 to amend and reordain

Stafford County Code, Chapter 11, "Erosion and Sediment Control", regarding

construction phasing.

Transportation; Approve the FY2009 Potomac and Rappahannock Transportation

Commission Administrative Fee and Virginia Railway Express Subsidy and Authorize

Payment. Mr. Sterling commented.

Mr. Milde motioned, seconded by Mr. Schwartz, to adopt proposed Resolution R08-263.

The Voting Board tally was:

Yea:

(4) Crisp, Dudenhefer, Milde, Schwartz

Nay:

(2) Brito, Sterling

Abstain:

Woodson

(1)

Resolution R08-263 reads as follows:

A RESOLUTION TO APPROVE AND AUTHORIZE PAYMENT OF
THE FY2009 POTOMAC AND RAPPAHANNOCK TRANSPORTATION
COMMISSION ADMINISTRATIVE FEE AND THE VIRGINIA
RAILWAY EXPRESS SUBSIDY

WHEREAS, the County is a member of the Potomac and Rappahannock Transportation Commission (PRTC); and

WHEREAS, the County is a participating jurisdiction of the Virginia Railway Express (VRE); and

WHEREAS, the County's FY2009 PRTC administrative fee is \$42,200; and

WHEREAS, the County's FY2009 VRE subsidy is \$2,974,507;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 20th day of May, 2008, that it be and hereby does approve the proposed PRTC and VRE subsidies as stated above; and

BE IT FURTHER RESOLVED that the payment of the subsidies during FY2009 be and they hereby are authorized.

<u>Utilities; Consider Pump and Haul Services at 24 Beejay Drive.</u> Mr. Dale Allen, Assistant Director of Utilities-Engineering, gave a presentation and responded to Board members questions.

Mr. Brito motioned, seconded by Mr. Milde, to adopt proposed Resolution R08-275.

The Voting Board tally was:

Yea: (7) Brito, Crisp, Dudenhefer, Milde, Schwartz, Sterling, Woodson

Nay: (0)

Resolution R08-275 reads as follows:

A RESOLUTION TO DENY PUMP AND HAUL SERVICE AT 24 BEEJAY DRIVE

WHEREAS, the County has an Agreement and General Permit with the State Health Department for Pump and Haul services; and

WHEREAS, the owner of 24 Beejay Drive have requested pump and haul service; and

WHEREAS, Resolution R06-240 established the County's policy for residential customers; and

WHEREAS, Resolution R06-339 established the County's policy for non-residential (non-subsidized) customers; and

WHEREAS, authority to enter into pump and haul agreements rests with the Board; and

WHEREAS, the Board desires to limit the scope of the pump and haul program;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 20^{th} day of May, 2008, that the request of the owner of 24 Beejay Drive be and it hereby is denied.

<u>Planning and Zoning</u>; <u>Appeal the Director of Planning and Zoning Decision Regarding</u> <u>Subdivision Vesting Status for Bridle Lake Estates.</u> Mr. Jeff Harvey, Director of Planning and Zoning, gave a presentation and responded to Board members questions.

Mr. Crisp motioned, seconded by Mr. Brito, to adopt proposed Resolution R08-240.

Discussion ensued.

The Voting Board tally was:

Yea: (5) Crisp, Dudenhefer, Schwartz, Woodson, Brito

Nay: (2) Milde, Sterling

Resolution R08-240 reads as follows:

A RESOLUTION TO AFFIRM A DECISION BY THE DIRECTOR
OF PLANNING AND ZONING REGARDING THE PRELIMINARY
PLAN STATUS OF BRIDLE LAKE ESTATES SUBDIVISION,
GEORGE WASHINGTON ELECTION DISTRICT

WHEREAS, a preliminary subdivision plan for Bridle Lake Estates was approved by the Planning Commission on December 4, 2002; and

WHEREAS, Sections 15.2-2241(5) and 15.2-2260(f) of the Code of Virginia (1950), as amended, and Stafford County Code, Section 22-6 address the validity of preliminary subdivisions plans; and

WHEREAS, the Director of Planning and Zoning has determined that the validity for the preliminary subdivision plans for Bridle Lake Estates has expired on December 3, 2007; and

WHEREAS, the applicant has appealed the decision of the Director of Planning

and Zoning pursuant to Section 22-6 of the Stafford County Subdivision Ordinance; and

WHEREAS, the Board has determined that the decision by the Director of

Planning and Zoning is appropriate;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of

Supervisors on this the 20th day of May, 2008, that the decision of the Director of

Planning and Zoning determining that the validity for the preliminary plans for Bridle

Lakes Estates has expired on December 3, 2007, be and it hereby is affirmed.

Transportation; Execute a Contract for Services to Review, Evaluate, Recommend, and

Assist in the Execution of Revisions to the County Transportation Impact Fee Program.

Mr. Brito motioned, seconded by Mr. Sterling, to defer proposed Resolution R08-264 to

the next Board meeting.

The Voting Board tally was:

Yea:

(6) Dudenhefer, Schwartz, Sterling, Woodson, Brito, Crisp

Nay: (1)

Milde

Legislative; Discuss Allocate \$80,000 from the Transportation Fund to the Dredging

Project at Aquia Harbour. Mr. Milde commented.

Mr. Milde motioned, seconded by Mr. Dudenhefer, to allocate \$80,000 to the dredging

project at Aquia Harbour.

The Voting Board tally was:

Yea:

Milde (1)

Nay: (6)

Schwartz, Sterling, Woodson, Brito, Crisp, Dudenhefer

Legislative; Discuss Personal Property Tax on Aircrafts. Mr. Sterling commented.

Mr. Sterling motioned, seconded by Mr. Crisp, to adopt proposed Resolution R08-305.

The Voting Board tally was:

Yea: (7) Schwartz, Sterling, Woodson, Brito, Crisp, Dudenhefer, Milde

Nay: (0)

Resolution R08-305 reads as follows:

A RESOLUTION TO REQUEST THAT THE ECONOMIC

DEVELOPMENT AUTHORITY REVIEW AND MAKE A

RECOMMENDATION REGARDING THE PERSONAL

PROPERTY TAX ON AIRCRAFT

WHEREAS, currently the County has designated aircraft a special classification

of personal property and levies a tax rate of \$3.00 per \$100 of assessed value; and

WHEREAS, the Board desires that the Economic Development Authority further

review the personal property tax on aircraft and provide recommendations to the Board;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of

Supervisors on this the 20th day of May 2008 that the Economic Development Authority

be and it hereby is requested to review and make recommendations to the Board

regarding the personal property tax on aircraft within the County.

Legislative; Discuss Business, Professional, and Occupational License Tax. Mr.

Dudenhefer motioned, seconded by Mr. Sterling, to defer this item to the next Board

meeting.

The Voting Board tally was:

Yea: (4) Sterling, Crisp, Dudenhefer, Milde

Nay: (3) Woodson, Brito, Schwartz

Legislative; Discuss Suspend County Permit Fees Relating to the F2 Tornado of May 8, 2008. The County Administrator commented.

Mr. Schwartz motioned, seconded by Mr. Brito, to adopt proposed Resolution R08-301.

The Voting Board tally was:

Yea: (6) Woodson, Brito, Crisp, Dudenhefer, Schwartz, Sterling

Nay: (1) Milde

Resolution R08-301 reads as follows:

A RESOLUTION TO AUTHORIZE THE COUNTY ADMINISTRATOR TO SUSPEND COUNTY PERMIT FEES RELATING TO THE TORNADO OF MAY 8, 2008

WHEREAS, due to the destructive nature of the tornado that struck Stafford County on May 8, 2008, displacing many persons and causing serious damage to properties in the County, certain residents of Stafford County have experienced significant property loss; and

WHEREAS, the County Administrator, in his capacity as the Director of Emergency Services, declared a state of emergency on Friday, May 9, 2008; and

WHEREAS, this declaration was ratified by the Board on May 12, 2008;

WHEREAS, repair and replacement costs for residents will be very expensive; and

WHEREAS, a variety of County permits will be required to repair and/or replace

damaged structures in the area of the impact; and

WHEREAS, the costs of the permits will be significant; and

WHEREAS, residents had no control over the damage from the tornado; and

WHEREAS, the Board wishes to give some relief due to the extraordinary

circumstances;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of

Supervisors on this the 20th day of May, 2008, that County permit fees relating to repair

and/or replacement of damaged structures in the area of impact be and they hereby are

suspended until December 31, 2008 for tornado related damage.

Legislative; Purchase of Development Rights Program Funding. Mr. Milde commented.

Hearing no objections from the Board, staff was requested to provide additional

information.

Transportation; Consider the Virginia Department of Transportation (VDOT) FY2009-

2014 Six-Year Secondary Road Improvement Program. Mr. Dudenhefer motioned,

seconded by Mr. Sterling, to reconsider the FY2009-2014 Six-Year Secondary Road

Improvement Program.

The Voting Board tally was:

Yea:

Dudenhefer, Milde, Schwartz, Sterling (4)

Nay: (3) Brito, Crisp, Woodson

Back on the floor is the substitute motion by Mr. Woodson, seconded by Mr. Brito, to adopt the FY2009-2014 Six-Year Secondary Road Improvement Program with changes to include bridge replacement funds, youth driver task force "hot spots" fund but no funding for Andrew Chapel Road.

The Voting Board tally was:

Yea: (3) Crisp, Woodson, Brito

Nay: (4) Dudenhefer, Milde, Schwartz, Sterling

Mr. Dudenhefer motioned, seconded by Mr. Milde, to adopt the FY2009-2014 Six-Year Secondary Road Improvement Program to include Andrew Chapel Road, bridges, and the Driver Task Force "Hot Spots".

The Voting Board tally was:

Yea: (4) Dudenhefer, Milde, Schwartz, Sterling

Nay: (3) Crisp, Woodson, Brito

Adjournment. At 2:20 A. M. the Chairman declared the meeting adjourned.

Anthony J. Romanello, ICMA-CM

George H. Schwartz

County Administrator

Chairman